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6 Attorneys for Defendant WORLD SAVINGS BANK F.S.B.,  
7 renamed and now known as  
WACHOVIA MORTGAGE F.S.B.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JOHN C. OTTEN

**Plaintiff,**

vs.

## HOME COMING FINANCIAL MORTGAGE, NAVY FEDERAL CREDIT UNION, WORLD SAVINGS.

## Defendants.

Case No. 08 CV0254 JM (JMA)

[Hon. Jeffrey T. Miller]

DEFENDANT WORLD SAVINGS'  
NOTICE OF MOTION AND  
MOTION TO DISMISS OR,  
ALTERNATIVELY, MOTION FOR  
MORE DEFINITE STATEMENT  
[FRCP 12(b)(6) and 12(e)]

Date: April 11, 2008  
Time: 1:30 p.m.  
Ctrm: 16

TO PLAINTIFF:

PLEASE TAKE NOTICE that on April 11, 2008 at 1:30 p.m. in Courtroom 16 of the above-entitled court located at 940 Front Street, San Diego, California 92101, the Honorable Jeffrey T. Miller, presiding, defendant World Savings Bank, F.S.B. (sued as World Savings) succeeded by and now known as Wachovia Mortgage F.S.B., (“World Savings”) will, and hereby does, move pursuant to FRCP 12(b)(6) for an order dismissing the Complaint, or in the alternative, pursuant to FRCP 12(e) for an order requiring a more definite statement.

Grounds for the motion are that Plaintiff fails to specify any claim for which relief can be granted. The Complaint is incomprehensible and states no basis for relief.

The motion is based on this notice, the accompanying memorandum of points and authorities, the Complaint, and on World Savings' argument at the hearing.

Respectfully submitted,

Dated: March 6, 2008

# ANGLIN, FLEWELLING, RASMUSSEN, CAMPBELL & TRYTTEN LLP

By: /s/ Robert A. Bailey

By: Robert A. Bailey

Attorneys for Defendant WORLD

SAVINGS BANK, F.S.B., renamed by and now known as WACHOVIA MORTGAGE F.S.B.